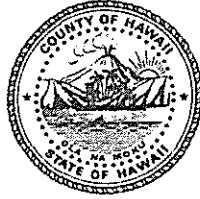


Stephen K. Yamashiro
Mayor



Virginia Goldstein
Director

Russell Kokubun
Deputy Director

County of Hawaii

PLANNING DEPARTMENT

25 Aupuni Street, Room 109 • Hilo, Hawaii 96720-4252
(808) 961-8288 • Fax (808) 961-8742

CERTIFIED MAIL

Z 179 517 263

May 11, 1998

Mr. and Mrs. Clifford M. Hose
111 Malia Street
Hilo, Hawaii 96720

Dear Mr. and Mrs. Hose:

OHANA DWELLING PERMIT NO. 3837 (OHD 98-002)
Applicants: CLIFFORD M. HOSE, ET AL.
Titleholders: CLIFFORD M. HOSE, ET AL.
ADDITIONAL SINGLE FAMILY DWELLING UNIT
Tax Map Key: (3) 2-4-030:097

The subject Application For Ohana Dwelling Unit Permit has been reviewed by the following agencies:

1. The Hawaii County Fire Department (HFD) memorandum dated April 8, 1998 states in part:

"Fire extinguishers shall be provided in accordance with Section 10.303 of the Fire Code"

"Portable Fire Extinguishers

"Sec. 10.303. (a) General. Portable fire extinguishers shall be installed in occupancies (sic) and locations as set forth in this code, or as may be determined by the chief.

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"Portable fire extinguishers shall be in accordance with U.F.C. Standard No. 10-1."

2. The applicant shall comply with the State of Hawaii Department of Health (DOH-HILO) memorandum dated April 14, 1998 which states:

"The existing cesspool may service a total of 1,000 gallons per day of wastewater. A total of five bedrooms are allowed in the two dwelling units. A second cesspool is not allowed because of the lack of land area."

3. The Department of Water Supply (DWS) memorandum dated April 14, 1998 states in part:

"Inasmuch as this application is proposing an additional detached dwelling, the installation of a separate 5/8-inch meter by the applicant is required in accordance with Department regulations.

Therefore, the Department has no objection to the application subject to the applicant being responsible for the installation of a second service by applying at our Customer Service Section along with the remittance of following charges:

1.	Facilities Charge	\$3,375.00
2.	Service Lateral Installation Charge	<u>1,200.00</u>
	Total	\$4,575.00"

4. The Department of Public Works (DPW) memorandum dated April 14, 1998 states in part:

- "1. The proposed driveway shall conform to sheet R-38, of the "Standard Details for Public Works Construction" and will require a driveway permit.
2. A portion of the subject property is located within flood zone AE according to the Flood Insurance Rate Map by the Federal Emergency Management Agency. Any construction within the flood zone shall meet the requirements of Chapter 27 of the Hawaii County Code."

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5. The original and notarized affidavit dated March 27, 1998 included with the Ohana Dwelling application states that:

Mr. and Mrs. Clifford M. Hose are the owners or titleholders of the subject property, and,

furthermore, the notarized affidavit dated March 27, 1998 includes the following statement:

"Pursuant to the Warranty deed it appears there are no provisions or any restrictions, covenant (sic) which would prohibit any construction of an ohana dwelling unit."

In view of the above, by this letter, you are hereby granted permission for the Ohana Dwelling Unit subject to the following conditions:

1. The proposed Ohana Dwelling unit shall comply with Ordinance No. 96 47 and Rule 12, the County of Hawaii Planning Department's Rules of Practice and Procedure relating to Ohana Dwelling Units.

Non-transferability: The permit for the Ohana Dwelling unit shall be personal to the applicant until construction of the Ohana Dwelling unit has been completed. The permit shall not be transferable or assignable to any other person prior to its completion.

Prohibition of Advertising, Sales, Transfers: No person shall advertise or represent to the public that a permit to construct an Ohana Dwelling unit is transferable with the sale of the property on which the permit has been granted.

2. Building Permit: The applicant is required to comply with the State Department of Health requirements in Hilo and secure a building permit from the Department of Public Works, Building Division, to construct the proposed ohana dwelling unit on or before May 11, 1999.

Please bring or attach a copy of this Permit to help the reviewing agencies to understand and expedite the review and processing of the building construction plans and building permit application to construct the additional building improvements and establish the Ohana Dwelling on the subject parcel.

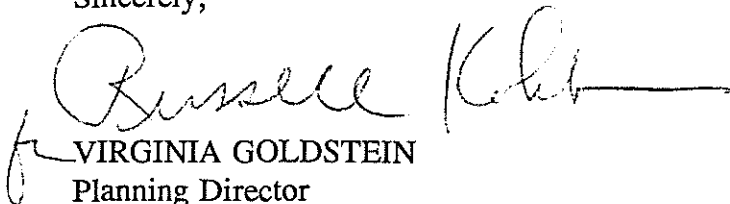
- a. The existing cesspool shall be maintained and limited to 1,000 gallons per day of wastewater. A total of five (5) bedrooms are allowed. Pursuant to the DOH comments stated above, a second cesspool is not allowed.
 - b. The applicant shall contact the DWS and pay any required facilities charge and service lateral installation charges to the DWS.
 - c. A one time 30-day time extension to obtain the building permit may be granted by the Planning Director. A written time extension request shall be filed with the Planning Director not less than forty-five (45) days prior to the expiration date of the ohana dwelling unit permit. The Planning Director shall render a decision on the time extension request prior to the expiration date of the permit.
 - d. The applicant shall not be able to obtain further extensions beyond the initial 30-day time extension. Further, such failure to conform to the time requirement shall not be cause to petition the Planning Director, Board of Appeals or any other governmental body for relief from the time requirement.
3. Requirements for Height, Site Area (Lot size), Yard (Setback) and Off-Street Parking (Parking spaces):
- a. Height limit: The height limit for the proposed ohana dwelling unit shall be twenty-five (25'-0") feet.
 - b. Minimum Building Site Area (Lot Size): The subject lot exceeds the minimum building site area (lot size) of 10,000 square feet.
 - c. Minimum Yards (Setbacks): The proposed "detached Ohana Dwelling unit" will be sited on a non-conforming sized property zoned Agricultural (A-1a) by the County and designated Urban "U" by the State Land Use Commission. The proposed ohana dwelling unit is required to comply with the minimum building yards of the Zoning Code, dated December 7, 1996. The minimum building yards are as follows: front/rear yards- minimum twenty-five (25'-0") feet and side yards-minimum fifteen (15'-0") feet.

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- d. Off-Street Parking: An Ohana Dwelling unit shall be provided with a minimum of two (2) off-street parking spaces which comply with the requirements of Section 25-4-53, Chapter 25, Effective: December 7, 1996.
4. This Ohana Dwelling permit is subject to all other applicable rules, regulations and requirements of the Planning Department, Department of Public Works, Fire Department and State Department of Health and other reviewing agencies/divisions listed on the Building Permit Application. The water requirements are subject to the requirements of the privately owned water company or purveyor.
5. Variations: Ohana dwelling units are prohibited on a building site which is the subject of an approved variance from the Subdivision Code (Chapter 23), the Zoning Code (Chapter 25), and property where a second dwelling unit is specifically prohibited by a change of zone ordinance.
 - a. No variance from the requirements of Chapter 23 and Chapter 25, Hawaii County Code, as amended, shall be granted to permit the construction or placement of an Ohana Dwelling unit.
 - b. An Ohana Dwelling unit shall not be permitted on a lot which has been the subject of a previously granted variance from any provision of Chapter 23 and Chapter 25, Hawaii County Code, as amended.

Should you have any questions regarding the above, please feel free to contact this office at 961-8288.

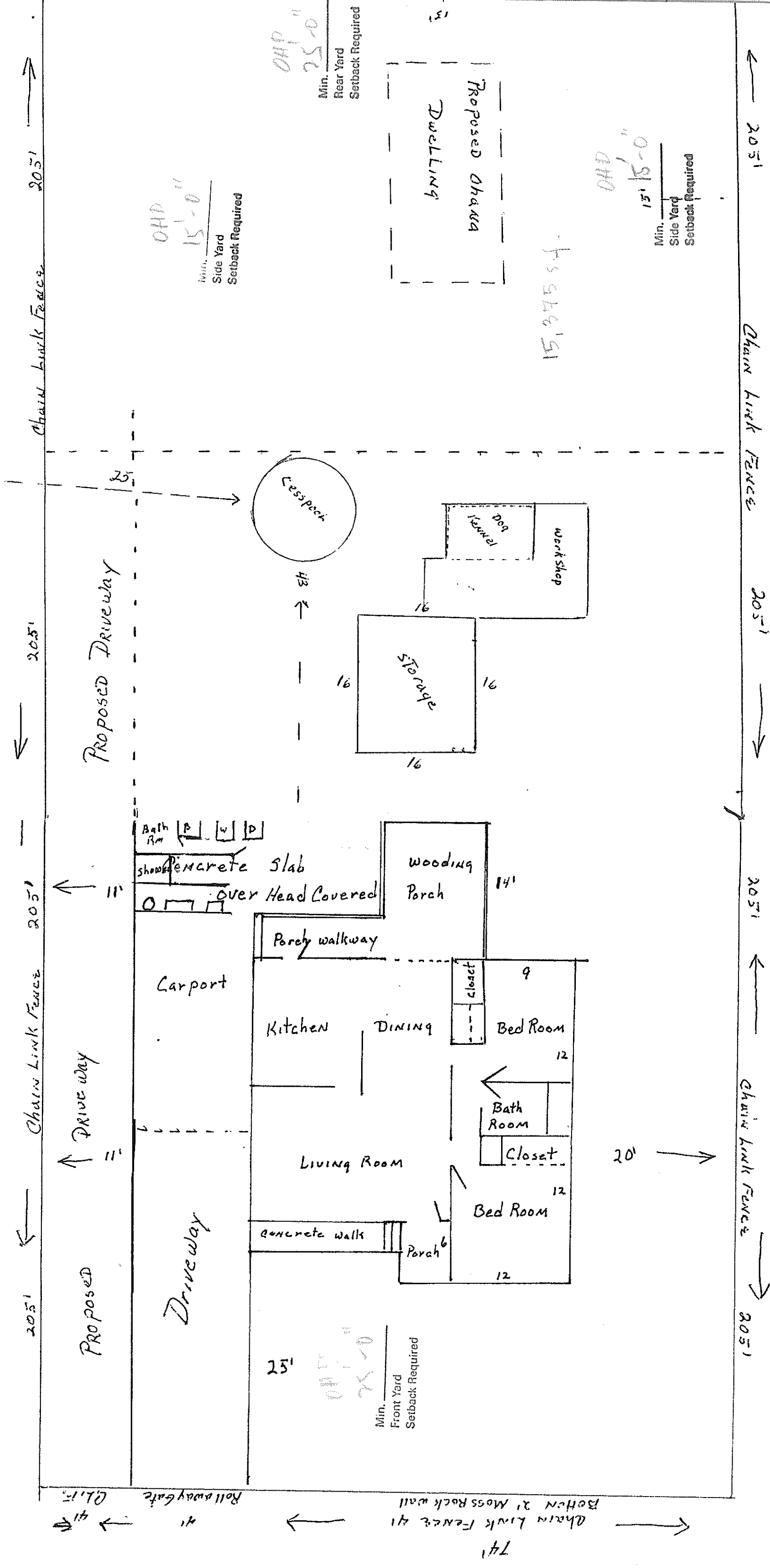
Sincerely,


VIRGINIA GOLDSTEIN
Planning Director

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xc: Department of Health, Chief Sanitarian
Department of Public Works
Real Property Tax Division
Department of Water Supply



Chain Link Fence 205' ← → 205' Chain Link Fence

Proposed Driveway

Proposed Driveway

Proposed Driveway

OHP
15'-0"
Min. Side Yard Setback Required

OHP
25'-0"
Min. Rear Yard Setback Required

OHP
15'-0"
Min. Side Yard Setback Required

15,375 sq. ft.

Bath Rm

Concrete Slab

Over Head Covered

Carport

Kitchen

Dining

Bed Room

Living Room

Bath Room

Closet

Bed Room

Porch

concrete walks

Min. Front Yard Setback Required

Rollaway Gate (41')

Chain Link Fence 41'

74'